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Express Mail No. EV529788849US  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,906,173  
Issue Date : June 14, 2005  
Inventors : Christen M. Anderson et al.

Docket No. : 660088.420  
Date : December 6, 2005

09/185904

Decisions and Certificates of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate**  
DEC 12 2005  
**of Correction**

REPLY TO DENIAL OF REQUEST FOR CERTIFICATE OF CORRECTION

## Commissioner for Patents:

A certificate of correction (copy enclosed) was requested on August 16, 2005 for the above-identified patent. Applicants requested correction of column 84, claim 12, lines 4-9. This correction was based on the Examiner's Amendment of September 13, 2004 (copy enclosed). Authorization for the Examiner's Amendment was given by the undersigned in a telephone interview with the Examiner on September 8, 2004.

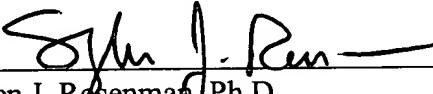
The Certificate of Corrections branch denied the request. The reason given for denying the certificate of correction was that column 84, claim 12, lines 4-9 were printed in accordance with the patent record. However, the aforementioned Examiner's Amendment of September 13, 2004 (copy enclosed) is of record for the instant United States Patent No. 6,906,173. Therefore, column 84, claim 12, lines 4-9 were not printed in accordance with the patent record and the Request for a Certificate of Correction should be granted.

Applicants have concurrently submitted a Second Request for Certificate of Correction (copy enclosed) which is nearly identical to the first Certificate of Correction. The Second Request merely corrects a typographical error in the original request and in the accompanying Certificate of Correction.

U.S. Patent No. 6,906,173  
Reply to Denial of Request for Certificate of Correction

Applicants respectfully request that the Second Request for Certificate of Correction be entered into record.

Respectfully submitted,  
SEED Intellectual Property Law Group PLLC

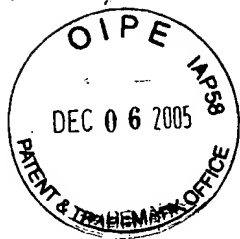
  
\_\_\_\_\_  
Stephen J. Rosenman, Ph.D.  
Registration No. 43,058

SJR: rap

Enclosures:

Return Receipt Postcard  
Copy of Request for Certificate of Correction of August 16, 2005  
Copy of Examiner's Amendment of September 13, 2004  
Copy of Second Request for Certificate of Correction of December 6, 2005

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,906,173  
Issue Date : June 14, 2005  
Inventors : Christen M Anderson et al.  
Docket No. : 660088-420  
Date : August 16, 2005

Mail Stop Certificate of Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents:

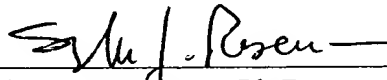
A certificate of correction is respectfully requested in the above-identified patent.

The following errors have been made:

In column 84, claim 12, lines 4-9, as amended September 13, 2004 --An isolated human adenine nucleotide translocator (ANT) fusion protein comprising an ANT polypeptide fused to at least one additional polypeptide sequence cleavable by a protease that separates the ANT polypeptide from the remainder of the fusion protein, wherein said ANT polypeptide binds an ANT ligand, and wherein the ANT polypeptide comprises amino acid sequence of a human ANT1 polypeptide set forth in SEQ ID NO:33.-- was incorrectly changed to "An isolated human adenine nucleotide translocator (ANT) fusion protein comprising an ANT polypeptide fused to at least one additional polypeptide sequence cleavable by a protease that separates the ANT polypeptide from the remainder of the fusion protein, wherein said ANT polypeptide." Due to claim canceling and renumbering claim 12 in the issued patent was claim 51 during the prosecution of the application.

Attached is form PTO/SB/44, which indicates the corrections to be made, by reference to the column and line numbers in the printed patent. Because the errors were made by the Patent Office, no fee is necessary. However if they are determined to be our errors, the Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 19-1090.

Respectfully submitted,  
SEED Intellectual Property Law Group PLLC



\_\_\_\_\_  
Stephen J. Rosenman, Ph.D.  
Registration No. 43,058

SJR: dj

Enclosures:

Form PTO/SB/44  
Postcard

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UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO : 6,906,173  
DATED : June 14, 2005  
INVENTORS : Christen M. Anderson et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Column 84

Line 4-9, "An isolated human adenine nucleotide translocator (ANT) fusion protein comprising an ANT polypeptide fused to at least one additional polypeptide sequence cleavable by a protease that separates the ANT polypeptide from the remainder of the fusion protein; wherein said ANT polypeptide." should read as --An isolated human adenine nucleotide translocator (ANT) fusion protein comprising an ANT polypeptide fused to at least one additional polypeptide sequence cleavable by a protease that separates the ANT polypeptide from the remainder of the fusion protein, wherein said ANT polypeptide binds an ANT ligand, and wherein the ANT polypeptide comprises amino acid sequence of a human ANT1 polypeptide set forth in SEQ ID NO:33.--

MAILING ADDRESS OF SENDER:

PATENT NO. 6,906,173

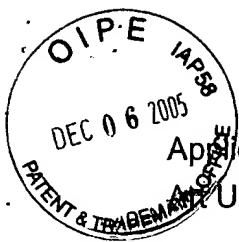
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Burden hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DEC 13 2005



### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen J. Rosenman on September 8, 2004.

The application has been amended as follows:

#### IN THE CLAIMS:

42. (amended) An isolated recombinant human adenine nucleotide translocator (ANT) polypeptide comprising the amino acid sequence of a human ANT3 polypeptide set forth in SEQ ID NO:33, that ~~is capable of binding~~ binds an ANT ligand and that is produced by a method comprising culturing a host cell comprising a recombinant expression construct comprising at least one regulated promoter operable linked to a nucleic acid encoding the adenine nucleotide translocator polypeptide.

51. (amended) An isolated human adenine nucleotide translocator (ANT) fusion protein comprising an ANT polypeptide fused to at least one additional polypeptide sequence cleavable by a protease that separates the ANT polypeptide from the remainder of the fusion protein, wherein said ANT polypeptide ~~being capable of~~

Art Unit: 1653

~~binding~~ binds an ANT ligand, and wherein the ANT polypeptide comprises the amino acid sequence of a human ANT1 polypeptide set forth in SEQ ID NO:33.

The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or suggest an isolated adenine nucleotide translocator having the sequence of SEQ ID NO:33 or an ANT fusion protein wherein the ANT polypeptide has the sequence of SEQ ID NO:33 and binds an ANT ligand.

Thus, claims 42, 44-52, and 56-57 appear to be in condition for allowance.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Holly Schnizer whose telephone number is (571) 272-0958. The examiner can normally be reached on Monday through Wednesday from 8 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jon Weber can be reached on (571) 272-0925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1653

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Holly Schnizer  
September 13, 2004

  
JON WEBER  
SUPERVISORY PATENT EXAMINER